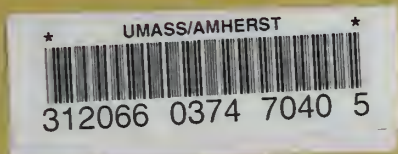


MASS. HS30.2: L52/2/1988

LEGISLATIVE UPDATE



Legislative Format

GOVERNMENT DOCUMENTS
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**Massachusetts Department of Public Health
Office of Policy Development and Planning**

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DPH 1988 LEGISLATION

- 1) H.186- AN ACT ESTABLISHING A MULTIPLE COPY PRESCRIPTION SYSTEM FOR CERTAIN CONTROLLED SUBSTANCES. (Food and Drug)
- 2) H.187- AN ACT RELATING TO FOOD PROCESSORS AND DISTRIBUTORS. (Food and Drug)
- 3) H.188- AN ACT RELATING TO THE STANDARDS OF PURITY AND QUALITY OF FOOD, DRUGS, COSMETICS AND DEVICES. (Food and Drug)
- 4) H.189- AN ACT RELATING TO THE TRANSFER OF OUT OF WEDLOCK BIRTH RECORDS. (Health Statistics)
- 5) H.190- AN ACT RELATING TO CERTAIN BIRTH, MARRIAGE AND DEATH RECORDS. (Health Statistics)
- 6) H.191- AN ACT RELATING TO THE CORRECTION OF CERTAIN BIRTH RECORDS. (Health Statistics)
- 7) H.192- AN ACT RELATING TO THE REGISTRATION OF CERTAIN DEATH RECORDS AT TEWKSBURY. (Health Statistics)
- 8) H.193- AN ACT RELATING TO THE LICENSURE OF CONVALESCENT AND NURSING HOMES, INFIRMARIES, OR OTHER HEALTH CARE FACILITIES. (Health Care Quality)
- 9) H.194- AN ACT RELATING TO THE ENFORCEMENT OF AMBULANCE SERVICE LICENSURE REQUIREMENTS. (Health Care Quality)
- 10) H.195- AN ACT RELATIVE TO THE LIABILITY OF EMERGENCY MEDICAL TECHNICIAN TRAINING INSTITUTIONS AND INSTRUCTORS. (Emergency Medical Services)
- 11) H.196- AN ACT RELATING TO THE IMPROVEMENT OF QUALITY AND ACCESS SAFEGUARDS IN HEALTH FACILITIES. (Health Care Systems)
- 12) H.197- AN ACT RELATING TO THE COMPREHENSIVE SMOKELESS TOBACCO HEALTH EDUCATION LAW. (Dental Health)
- 13) H.198- AN ACT RELATING TO THE PROTECTION OF CHILDREN'S HEALTH. (Dental Health)
- 14) H.199- AN ACT RELATING TO SMOKING IN CERTAIN PUBLIC AND PRIVATE BUILDINGS. (Dental Health)
- 15) H.200- AN ACT RELATING TO THE ADMINISTRATION OF PREVENTION, INTERVENTION AND TREATMENT OF SUBSTANCE ABUSE. (Drug and Alcohol)
- 16) H.201- AN ACT INSURING COMPLIANCE WITH FEDERAL EARLY INTERVENTION LAW. (Family Health Services)
- 17) H.202- AN ACT INCREASING THE REIMBURSEMENT OF EXPENSES OF THE MEMBERS OF THE PUBLIC HEALTH COUNCIL. (Management Services)

DPH 1988 LEGISLATION

- 1) H.186- AN ACT ESTABLISHING A MULTIPLE COPY PRESCRIPTION SYSTEM FOR CERTAIN CONTROLLED SUBSTANCES.

This proposal would establish a prescription drug abuse prevention program whereby suspected fraudulent or abusive prescription drug practices would be identified and referred for appropriate action.

- 2) H.187- AN ACT RELATING TO FOOD PROCESSORS AND DISTRIBUTORS.

This proposal would give the Department greater ability to assure a safe and wholesome food supply by providing for the annual issuance of a license to food processors and distributors.

- 3) H.188- AN ACT RELATING TO THE STANDARDS OF PURITY AND QUALITY OF FOOD, DRUGS, COSMETICS AND DEVICES.

Existing law closely ties Department of Public Health regulations on the purity of food and drugs to standards set by the federal Food and Drug Administration. In order to establish higher quality state standards this law must be revised.

- 4) H.189- AN ACT RELATING TO THE TRANSFER OF OUT OF WEDLOCK BIRTH RECORDS.

Existing law prohibits the transmission of birth records of a child born out of wedlock or a child of abnormal sex to any city or town. This proposal would allow for transfer of these records upon written authorization of the mother.

- 5) H.190- AN ACT RELATING TO CERTAIN BIRTH, MARRIAGE AND DEATH RECORDS.

This proposal would increase the completeness of cause of death reporting in certain illnesses, particularly AIDS, and would limit the unrestrained access to most vital records.

- 6) H.191- AN ACT RELATING TO THE CORRECTION OR CERTAIN BIRTH RECORDS.

Existing law is ambiguous as to making certain corrections to birth records. This proposal would allow adjudications of paternity from other jurisdictions or voluntary acknowledgements to be accepted for correcting birth records.

- 7) H.192- AN ACT RELATING TO THE REGISTRATION OF CERTAIN DEATH RECORDS AT TEWKSBURY.

Existing law places Tewksbury Hospital as a vital registration area. This proposal would eliminate Tewksbury Hospital as a vital registration area and would have vital events recorded at Tewksbury town hall.

- 8) H.193- AN ACT RELATING TO THE LICENSURE OF CONVALESCENT AND NURSING HOMES, INFIRMARIES, OR OTHER HEALTH CARE FACILITIES.

This proposal would require that the Department review the suitability of a prospective owner of a nursing home prior to transfer of said nursing home to the prospective owner.

- 9) H.194- AN ACT RELATING TO THE ENFORCEMENT OF AMBULANCE SERVICE LICENSURE REQUIREMENTS.

Existing law allows the Department to issue orders of correction of deficiencies to ambulance companies and give the ambulance company 30 days to correct such deficiencies. This proposal would permit the Department, where an immediate danger to patient health and safety exists, to order the licensee to address the immediate danger.

- 10) H.195- AN ACT RELATING TO THE LIABILITY OF EMERGENCY MEDICAL TECHNICIAN TRAINING INSTITUTIONS AND INSTRUCTORS.

This proposal will grant limited protection from negligence suits to qualified EMT training schools and instructors.

- 11) H.196- AN ACT RELATING TO THE IMPROVEMENT OF QUALITY AND ACCESS SAFEGUARDS IN HEALTH FACILITIES.

This proposal would expand the scope of the Advocacy Office to assist all publicly aided patients. Currently, only medicare patients are assisted by the Advocacy Office.

- 12) H.197- AN ACT RELATING TO THE COMPREHENSIVE SMOKELESS TOBACCO HEALTH EDUCATION LAW.

This proposal would require outdoor billboards advertising smokeless tobacco to conspicuously display a health warning statement. Also, this would prohibit the free distribution of smokeless tobacco products.

- 13) H.198- AN ACT RELATING TO THE PROTECTION OF CHILDREN'S HEALTH.

This proposal would give local boards of health the authority to fine persons selling or giving tobacco products to persons under the age of eighteen.

- 14) H.199- AN ACT RELATING TO SMOKING IN CERTAIN PUBLIC AND PRIVATE BUILDINGS.

This proposal would require designated nonsmoking sections in public buildings, health care facilities, public transportation and restaurants.

- 15) H.200- AN ACT RELATING TO THE ADMINISTRATION OF PREVENTION, INTERVENTION AND TREATMENT OF SUBSTANCE ABUSE.

This proposal would merge the Divisions of Alcoholism and Drug Rehabilitation into the Division of Substance Abuse.

- 16) H.201- AN ACT INSURING COMPLIANCE WITH FEDERAL EARLY INTERVENTION LAW.

This proposal would bring the Massachusetts Department of Public Health into conformance with the federal Early Intervention Law.

- 17) H.202- AN ACT INCREASING THE REIMBURSEMENT OF EXPENSES OF THE MEMBERS OF THE PUBLIC HEALTH COUNCIL.

This proposal would increase the per deim reimbursement of members of the Public Health Council from \$25 to \$100.

REVIEWING OF BILLS BY ASSISTANT COMMISSIONERS OR DIVISION DIRECTORS

1. As legislative petitions are printed, copies will be forwarded to appropriate Assistant Commissioners or Division Directors.
2. In addition, Assistant Commissioners or Division Directors will designate a lead person for each bill considered a priority. The legislative office will notify designated lead persons to have testimony prepared on priority legislation as bills are scheduled for legislative committee hearings.
3. Each week prior to the scheduled legislative hearing, the Director of the Office of Policy Development and Planning and the Legislative Liaison will meet with the Assistant Commissioners to discuss legislative activities of the week ahead. You will be notified of the dates and times of these meetings. Tentatively, they are scheduled for Thursday at 9:30 a.m.
4. 1988 is the second year of a biennial legislative session. Thus, legislative committees will not accept oral testimony on petitions refiled from the 1987 session; committees will, however, accept written testimony on these proposals. If the legislative petition is a new file, the Office of Policy Development and Planning will discuss whether oral testimony should be presented with the appropriate Assistant Commissioner or Division Director.

We will give you as much advance notice as possible, however, please remember that sometimes we receive short notice from the Legislature.

WRITING LEGISLATIVE TESTIMONY

This guide corresponds to the visual display on the next page.

1. Be careful to use only DPH letterhead, not division stationery.
2. Date should be that of the hearing date or left blank if unknown.
3. Testimony should be addressed to both chairpersons.
4. "Re" should include bill number(s) and title of the legislation as it appears on the legislation itself.
5. The body of the letter should clearly state the Department's position on the legislation in the first sentence of the first paragraph. Be careful to mention the bill's number(s). Please be brief and concise. Usually, legislative testimony need not exceed one page in length. Obviously, more complex legislation will need more comprehensive testimony.
6. Closing remarks should reaffirm the Department's position on the legislation and extend to the legislators the opportunity to solicit more information by contacting Gerard E. Desilets, Director, Office of Policy Development and Planning, at 727-2692.
7. Testimony must always be prepared for the Commissioner's signature. As in the past, submit your final draft to the Office of Policy Development and Planning.
8. Initials should designate the Commissioner, Deborah Prothrow-Stith, the legislative lead person in charge of writing the testimony and the typist.

Please note that all testimony should be submitted to the Office of Policy Development and Planning two (2) days after your receipt of the legislation. Please prepare two original copies of the testimony. If changes must be made in the testimony, the Office of Policy Development and Planning will return the testimony to you for correction. To save your staff valuable time, it is suggested that testimony be prepared on a word processor. Corrections should be made immediately and testimony promptly returned to this office.

People preparing oral testimony should contact the Office of Policy Development and Planning at least three (3) days prior to the hearing date to discuss the presentation.

Thank you very much for your cooperation.



The Commonwealth of Massachusetts
Executive Office of Human Services
Department of Public Health

Michael S. Dukakis
Governor

Phillip W. Johnston
Secretary

Deborah Prothrow-Stith, M.D.
Commissioner

150 Tremont Street

Boston 02111

(617) 727-2700

April 4, 1988] 2

3 [The Honorable Senator Carol Amick
The Honorable Representative Steven Angelo
Chairpersons
Joint Committee on Natural Resources and Agriculture
State House
Boston, MA 02133

RE: S.944, H.744 - An Act To Prevent
Abusive Treatment Of Animals.] 4

Dear Senator Amick and Representative Angelo:

The Department of Public Health opposes S.944 and H.744, which would establish a Commission to investigate and oversee care and treatment of animals, including those used for research and educational purposes.

5 The proposed legislation, if enacted, would overlap and duplicate the mandated duties of DPH and other state and federal agencies that regulate the use and transportation of animals.

DPH is in the process of establishing an ongoing animal care advisory committee to assist the Department in implementing an effective enforcement program of the rules and regulations promulgated under Section 174D of Chapter 140 of the Massachusetts General Laws. The committee will consist of members from animal welfare groups, private and public research institutions, state and federal agencies, and the general public.

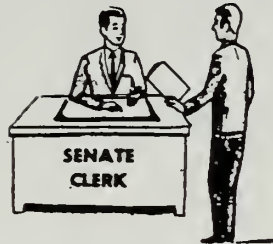
The Department of Public Health is committed to ensuring humane handling and treatment of animals used in research and education facilities.

Thank you for your consideration of the Department's position on this issue. If you are in need of additional information, please contact Gerard E. Desilets, Director, Office of Policy Development and Planning, at 727-2692.] 6

Sincerely,

Deborah Prothrow-Stith, M.D.
Commissioner] 7

PROGRESS OF LEGISLATION



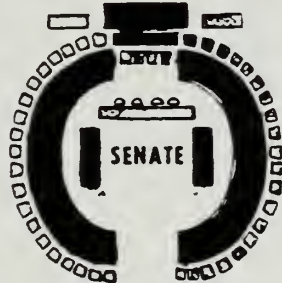
1. Petition filed in Office of Clerk.



2. Processed by Clerk and referred to Joint Committee.



3. Public hearing held by Committee.



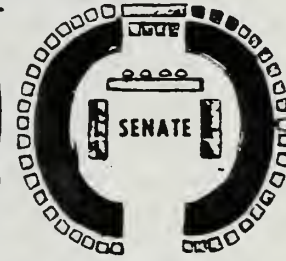
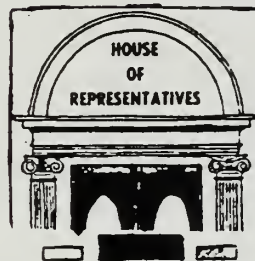
4. Reported into Senate for action. If adverse report is accepted in Senate - measure is dead. If report is favorable, bill or resolve takes three readings then passed to be engrossed.



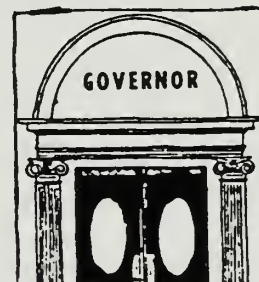
5. Bill or resolve then sent to House for action.



6. If engrossed by House, prepared by Clerks for final passage.



7. Passed to be enacted by House and Senate. Always sent from Senate to Governor.



8. Governor has ten days to decide what action he will take.

JOINT COMMITTEE ON GOVERNMENT REGULATIONS

The committee on Government Regulations considers all matters concerning public utilities, gambling, the registration of various trades or professions, the issuance of licenses for the sale of alcoholic beverages and such other matters as may be referred.

Room 472 - Telephone 722-2120

SENATORS:

Thomas C. Norton, Chairman	407	722-1114
Royal L. Bolling	413F	722-1673
Edward L. Burke	413C	722-1640
Arego Paul Cellucci	520	722-1120
Paul D. Harold	507	722-1494
Paul J. Sheehy	213C	722-1630

REPRESENTATIVES:

William F. Galvin, Chairman	472	722-2120
Geoffrey C. Beckwith	236	722-2430
Athan Catjakis	130	722-2130
Joseph M. Connolly	472	722-2120
Stephen W. Doran	472	722-2120
Robert A. Havern	236	722-2430
Jacqueline Lewis	34	722-2320
Francis G. Mara	254	722-2220
Richard J. Rouse	443	722-2460
Richard R. Tisei	472	722-2120
Peter G. Trombley	128	722-2802

JOINT COMMITTEE ON HUMAN SERVICES AND ELDERLY AFFAIRS

The committee on Human Services and Elderly Affairs considers all matters concerning public welfare, children, the elderly, the handicapped, mental health, drug rehabilitation and control, veterans benefits, alcoholism, the correction system including administration, prisoners' rights, furloughs, work release, probation, rehabilitation, parole and other social service programs and such other matters as may be referred.

Room 22 - Telephone 722-2140

SENATORS:

John P. Houston, Chairman	213B	722-1485
Salvatore R. Albano	423	722-1578
Nicholas J. Costello	217	722-1605
Richard A. Kraus	511	722-1432
Linda J. Melconian	504	722-1660
Mary L. Padula	416A	722-1230

REPRESENTATIVES:

Paul Kollios, Chairman	22	722-2140
Carmen D. Buell	22	722-2140
Ellen M. Canavan	22	722-2140
Albert Herren	33	722-2060
Barbara Hildt	22	722-2140
Kevin G. Honan	33	722-2060
Jacqueline Lewis	34	722-2320
David P. Magnani	43	722-2030
Shirley Owens-Hicks	473G	722-2070
Marie J. Parente	167	722-2692
Michael P. Walsh	254	722-2220

JOINT COMMITTEE ON NATURAL RESOURCES AND AGRICULTURE

The committee on Natural Resources and Agriculture considers all matters pertaining to natural resources and the environment, air, water and noise pollution and control thereof, hunting and fishing, conservation, solid waste disposal, sewerage, agricultural and farm problems and such other matters as may be referred.

Room 473F- Telephone 722-2210

SENATORS:

Carol C. Amick, Chairman	413E	722-1572
Edward L. Burke	413C	722-1640
Nicholas J. Costello	217	722-1605
Francis D. Doris	315	722-1650
Peter C. Webber	313	722-1625
Robert D. Wetmore	409	722-1540

REPRESENTATIVES:

Steven Angelo, Chairman	473F	722-2120
Geoffrey C. Beckwith	236	722-2430
Carmen D. Buell	22	722-2140
Robert A. Durand	472	722-2120
Barbara Gardner	473F	722-2210
Robert Emmet Hayes	489	722-2017
Jonathan L. Healy	33	722-2060
Frank M. Hynes	473F	722-2210
David P. Magnani	43	722-2030
Henri S. Rauschenbach	40	722-2240
Mark Roosevelt	473G	722-2070

JOINT COMMITTEE ON HEALTH CARE

The committee on Health Care considers all matters concerning health care programs and regulation of the health care system including rate setting, licensing of health facilities and personnel, certificates of need, health programs including Medicaid and such other matter as may be referred.

Room 130 - Telephone 722-2130

SENATORS:

Edward L. Burke, Chairman	413C	722-1640
Frederick E. Berry	413D	722-1410
Louis P. Bertonazzi	314	722-1420
Argeo Paul Cellucci	520	722-1120
John Patrick Houston	213B	722-1485
Thomas P. White	517	722-1544

REPRESENTATIVES:

John C. McNeil, Chairman	130	722-2130
John C. Bartley	163	722-2225
Athan Catjakis	130	722-2130
Marjorie Clapprood	146	722-2560
Peter Forman	40	722-2240
Sherwood Guernsey	130	722-2130
Robert L. Howarth	473B	722-2230
Frank M. Hynes	473F	722-2210
John E. McDonough	130	722-2130
Joseph B. McIntyre	20	722-2410
Chester A. Suhoski	128	722-2802

HOUSE WAYS AND MEANS

The committee on Ways and Means considers all legislation affecting the finances of the Commonwealth and such other matters as may be referred.

ROOM 237 - Telephone 722-2380

REPRESENTATIVES:

Richard A. Voke, Chairman	238	722-2380
Robert J. Bohigian	237	722-2380
Paul E. Caron	38	722-2470
William Constantino	40	722-2240
Michael C. Creedon	121	722-2037
Walter A. DeFilippi	238	722-2380
Patricia G. Fiero	540	722-2090
Charles N. Decas	238	722-2380
Barbara E. Gray	238	722-2380
Christopher J. Hodgkins	33	722-2060
Iris K. Holland	275	722-2676
Marie E. Howe	279	722-2010
Thomas P. Kennedy	170	722-2146
Kenneth M. Lemanski	238	722-2380
Edward A. LeLacheur	146	722-2582
Vincent J. Lozzi	134	722-2400
Joseph K. Mackey	138	722-2396
M. Joseph Manning	167	722-2692
Joan M. Menard	167	722-2692
Richard T. Moore	167	722-2692
Robert J. Rohan	238	722-2380
Susan F. Rourke	146	722-2582
J. Michael Ruane	238	722-2380
Byron Rushing	167	722-2692
Angelo M. Scaccia	251	722-2393
Patricia A. Walrath	238	722-2380
W. Paul White	478	722-2263

SENATE WAYS AND MEANS

The committee on Ways and Means considers all legislation affecting the finances of the Commonwealth and such other matters as may be referred.

Room 212 - Telephone 722-1481

SENATORS:

Patricia McGovern, Chairman	212	722-1481
Frederick E. Berry	413D	722-1410
Louis P. Bertonazzi	314	722-1420
Anna P. Buckley	319	722-1200
Robert C. Buell	321	722-1600
Edward L. Burke	413C	722-1640
Edward P. Kirby	413H	722-1330
William Q. Maclean	513	722-1440
John W. Olver	511	722-1532
Martin T. Reilly	309	722-1291
Paul J. Sheehy	213C	722-1630
Joseph B. Walsh	421	722-1643
Peter C. Webber	313	722-1630
Robert D. Wetmoe	409	722-1540

